

**IN THE UNITED STATES DISTRICT COURT FOR
THE EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

VINCENT RHODUS)	
)	
Plaintiff,)	
)	
v.)	Case No.:
)	
G4S SECURE SOLUTIONS (USA), INC.)	JURY TRIAL DEMANDED
MENARD, INC.)	
AND)	
)	
Defendants.)	

NOTICE OF REMOVAL

Come now defendant Menard, Inc., and hereby files this Notice of Removal of the above-captioned cause to the United States District Court for the Eastern District of Missouri pursuant to 28 U.S.C. §§ 1332 and 1446, and for its grounds states as follows:

1. On May 31, 2021, defendant Menard Inc. was served with Summons and Complaint filed in the Circuit Court of St. Charles County, Missouri, by Vincent Rhodus. The matter bears Cause Number 2211-CC00491. See Exhibit A, Plaintiffs' Complaint.

2. The Complaint seeks monetary damages for significant and permanent wounds requiring medical treatment. See Exhibit A.

3. Plaintiff has also issued a settlement demand of \$825,000, in which he contends that he has medical bills that exceed \$75,000, and that he sustained injuries which required stenting of his lower extremities. See Exhibit B.

4. The citizenship and domicile of the parties is set forth as follows:

(a) Plaintiff is and was a citizen and resident of St. Charles County, Missouri.

- (b) Menard is a Wisconsin corporation with its principal place of business and headquarters located in Eau Claire, Wisconsin. (See Exhibit C, Affidavit of Rick Souba).
- (c) G4S Secure Solutions (USA) Inc. is incorporated in the state of Florida. Its principal place of business is 1395 University Boulevard, Jupiter Florida, 33458. (See Exhibit D, Search record for the Florida Secretary of State. Its officers and directors are also located in Florida.

5. Plaintiff is a citizen of Missouri, defendant Menard is a citizen of Wisconsin, and defendant G4S Secure Solutions is a citizen of Florida, and therefore, complete diversity exists among the parties to this case.

4. The matter in controversy clearly exceeds the sum or value of \$75,000 (exclusive of interest and costs) in that plaintiff alleges medical expenses alone in excess of \$75,000. (See Exhibit B)

5. Because Complete diversity of citizenship exists between the parties and the amount in controversy exceeds \$75,000, this Court possesses original subject matter jurisdiction pursuant to 28 U.S.C. § 1332 and this matter is removable to this Court pursuant 28 USC § 1441.

6. Defendant G4S consents to this removal. (See Consent to Removal. (Exhibit E).

7. Contemporaneously, with the filing of this Notice, counsel for Defendant has notified the clerk of the Circuit Court of St. Charles County and to plaintiffs' counsel in accordance with 28 USC §1446(d), within the thirty-day timeframe for removal.

8. A copy of the state court file is attached is Exhibit F.

WHEREFORE, defendant Menard, Inc. prays that an Order be entered hereof removing Cause No. 2211-CV00491 currently pending in St. Charles County, Missouri to this Court for further proceedings, and that this Court take jurisdiction herein and make such further orders as may be proper under the circumstances.

Respectfully submitted,

EVANS & DIXON, L.L.C.

/s/ David C. Berwin _____

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Attorneys for Defendant KCI Construction, Inc.

CERTIFICATE OF SERVICE

I hereby certify that a copy of this document was filed electronically with the Clerk of the Court to be served on all parties of record by operation of the Court's electronic filing system on this 1st day of July, 2022. Notice was also served by electronic mail to:

Mathew T. Jett
Jett Legal
745 Ballas Road
St. Louis, Mo. 63141
matt@jettlegal.com

/s/ David C. Berwin